

# EXTENSIONS OF REMARKS

## PROHIBITING HMO'S FROM USING TAXPAYER MONEY TO LOBBY FOR HIGHER MEDICARE PAYMENTS

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1999

Mr. STARK. Mr. Speaker, Medicare HMOs are lobbying Congress, saying they are not being paid enough. The following memo shows that we are in fact overpaying most HMOs, largely due to the fact that most of them are enrolling much healthier than average Medicare beneficiaries.

Nevertheless, a number of HMOs are recruiting enrollees to send in form letters to Members of Congress urging higher payment rates. What is annoying is that they are spending some Medicare money on this lobbying.

They can lobby out of their profits and their CEO salaries if they want, but I don't think they should finance their lobbying out of taxpayer-Medicare payments. The enclosed letter from the Office of the Inspector General describes the problem.

I am introducing legislation to correct the problem identified by the OIG. The bill will save the taxpayer from financing lobbying to

spend more taxpayer money. It might also cause some of those lobbying HMOs to spend money on health care rather than lobbying. That would be nice.

DEPARTMENT OF HEALTH  
HUMAN SERVICES,

Washington, DC, September 11, 1998.

HON. FORTNEY H. (PETE) STARK,  
Subcommittee on Health, Committee on Ways  
and Means, House of Representatives,  
Washington, DC

DEAR MR. STARK: This responds to your letter of August 25, regarding a news report that the American Association of Health Plans (AAHP) was urging its member HMO's to compile lists of enrollees, one purpose of which was to encourage enrollees to write letters to Congress regarding pending managed care legislation. You raised concerns about the rights of the approximately 5 million Medicare beneficiaries enrolled in managed care plans.

Your first question asks whether it is "legal or appropriate under Medicare's patient privacy provisions to be contacting beneficiaries for purposes of lobbying?" While we share your concern about the appropriateness of contacting Medicare beneficiaries to encourage them to lobby Congress, the practice itself does not appear to be illegal. As long as no Federal funds themselves are used to support lobbying, we are aware of no restriction in the Medicare law on what a plan, provider, or supplier may communicate to a Medicare beneficiary.

Your second question asks, "are the companies which are participating in this lobbying campaign assigning any part of the cost of the Medicare program?" Specifically, you ask whether the administrative costs of lobbying are included in the adjusted community rate (ACR) of the Medicare plans. Under the current ACR process, such costs might indeed be included in a plan's ACR proposal, since the proposal is based upon amounts that would be charged if the plan furnished the Medicare covered services package to its general membership. The law does not restrict a plan from including costs in its ACR proposal that would be considered unallowable under Medicare principles or the Federal Acquisition Regulations. In a recent audit report (Review of the Administrative Costs Component of the Adjusted Community Rate Proposal, A-14-97-00205), we have raised concerns about the present system's inclusion of such costs, especially including lobbying costs, in the ACR proposal. The effect of including these additional administrative costs may be to limit the amount by which enrollees' premiums would be reduced, the amounts of extra noncovered Medicare benefits afforded enrollees, or amounts otherwise credited to the program.

Again, we share the concerns raised in your letter. If you would like additional information about our work with regard to Medicare managed care, please let us know.

Sincerely,

JUNE GIBBS BROWN,  
Inspector General.

## CURRENT MEDICARE OVERPAYMENTS TO MANAGED CARE PLANS

[Prepared by Rep. Pete Stark's staff]

Source of overpayment	Cost of Medicare	Source of analysis
Overpayments due to BBA change that removed HCFA's ability to recover overpayments when health care inflation is lower than expected.	\$800 million in 1997 .....	Congressional Budget Office.
	\$8.7 billion over 5 years .....	
	\$31 billion over 10 years .....	
Overpayments due to lack of risk adjustment .....	5-6% overpayment to HMOs per beneficiary who is enrolled .....	Physician Payment Review Commission (now MedPAC) 1996 Annual Report.
Overpayment due to inflation of Medicare's share of plan administrative costs .....	More than \$1 billion annually .....	HHS Office of Inspector General July 1998.
Overpayments due to inclusion of fraud, waste and abuse dollars from FFS payments. Managed care plans should better "manage" and therefore avoid such fraud, waste and abuse.	7% annual overpayment .....	HHS Office of Inspector General Sept. 11, 1998.
	Annual savings with a corrected 1997 base year would be: .....	
	\$5 billion in 2002 .....	
	\$10 billion in 2007 .....	

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. DISALLOWING COSTS THAT ARE UNALLOWABLE UNDER MEDICARE PRINCIPLES OR THE FEDERAL ACQUISITION REGULATION IN COMPUTING THE ADJUSTED COMMUNITY RATE FOR MEDICARE+CHOICE PLANS.

(A) IN GENERAL.—Section 1854(f) of the Social Security Act (42 U.S.C. 1395w-24(f)) is amended by adding at the end the following new paragraph:

“(5) EXCLUSION OF CERTAIN COSTS IN DETERMINING ADJUSTED COMMUNITY RATE.—In determining the adjusted community rate for an organization, there shall not be included any costs of the organization which would not be allowable costs under cost-reimbursement principles applied under this title or under the Federal Acquisition Regulation. Specifically, in carrying out this paragraph, the Secretary shall not permit inclusion of costs of lobbying, political contributions, or communications with plan members to urge them to lobby or to carry out other political activities.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to determinations of adjusted community rates made after June 14, 1999.

### “LET'S KEEP CHINESE SPYING IN PERSPECTIVE”

**HON. PHILIP M. CRANE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1999

Mr. CRANE. Mr. Speaker, as evidenced by the debate in the House, all of us have serious concerns about the espionage activities that resulted in the theft of U.S. military secrets. On a daily basis, as Chairman of the Ways and Means Trade Subcommittee, I discuss, and contemplate, the complex but critically important issues involving the United States and the People's Republic of China. In my discussions, I try to articulate what I believe should be our response to the situation in which we find ourselves. However, I had not

found a written piece that provided a reasoned and concise response to the allegations of spying until I read an opinion written by former President Jimmy Carter in the May 28th edition of USA Today. I completely agree with his views and I strongly urge my colleagues to read his comments which I have included for the RECORD.

[From the USA Today, May 28, 1999]

LET'S KEEP CHINESE SPYING IN PERSPECTIVE  
(By Jimmy Carter)

Recent revelations about Chinese espionage are a justifiable cause for alarm among all those who are concerned about the protection of America's military secrets. But it is also important to keep this issue in perspective as it affects already strained U.S.-Sino relations and to remember how nations traditionally react to security breaches.

The bipartisan report of the House select committee, which seems to be thorough and accurate, warrants immediate corrective action and, as a secondary priority, an effort to affix blame on those who may have violated the law or been derelict in their duties. However, the revelations have also aroused reactions that are ill-advised, counterproductive

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and could subvert the potential benefits of the committee's good work. There are unfounded allegations by both Democrats and Republicans against each other, obviously designed for partisan advantage. Some other American leaders, who have habitually demonstrated animosity toward the People's Republic of China, have attempted to drive a deeper wedge between our two countries at what is already a troubled time.

#### A CONFUSED POLICY TOWARD CHINA

At best, U.S. policy toward China is very confusing, at least to the Chinese, both because of uncertainties within the administration and because of highly publicized differences between the White House and Congress on how to address the issues of Taiwan, human rights, trade and the sharing of political responsibilities in Asia. The bombing of the Chinese Embassy in Belgrade, Yugoslavia, has further exacerbated the troubled relationship. This regrettable incident also has injected China, as a permanent member of the U.N. Security Council, into the potential role of negotiating a peaceful resolution of the Kosovo crisis.

It is clear that much is at stake—for both U.S.-China and global relations. So let's consider some facts about espionage. There are few, if any, nations that would not take advantage of opportunities to learn withheld secrets that could contribute to their military, political or economic advantage. In fact, although the select committee's attention was focused exclusively on China, it would be surprising if Russia and other nations have not also benefited from the lax policies at our nuclear research laboratories.

The United States certainly seeks to learn what other nations are doing, and we use surreptitious means, if necessary, to glean this information. Only recently, the celebrated case of Jonathan Pollard has proved this premise. Pollard was found guilty of delivering, over a period of years, some of our most valuable secrets to Israel, our strongest and most reliable ally in the Middle East.

The standard reaction to cases of this kind is to arrest and punish severely American citizens who have committed such treasonous acts, but not to impose penalties on the country that benefited from them. If a foreign spy is caught in our nation, the response is to expel the guilty person and perhaps to include others who are suspect or diplomatically sensitive. When I was president, we even swapped guilty Soviet spies for the freedom of some human-rights heroes who were incarcerated in Siberia.

In addition to spying among nations, a major field of espionage is in the commercial world, where France and other advanced nations avidly seek secret information from American business firms—and vice versa.

#### HANDLE GUILTY PARTIES AS IN THE PAST

In the current case, no one has been arrested for espionage, and there is no indication that such arrests are imminent. If guilty parties are revealed, they should be handled in the time-honored way.

This still leaves the question of China's improper use of the secret information, either to threaten us directly or to channel advanced weapons to others who might attack the United States. The House committee leaders make clear that the Chinese have not tested or deployed missiles or warheads that include the most advanced technology. In fact, the People's Republic of China has committed itself to complying with the Nuclear Test Ban Treaty, and any testing of warheads would be considered a serious violation of international law.

Revelations of spying should lead to legal action against any convicted American spies

and to the treatment of international relations in a customary and historical manner. The past 20 years of diplomatic relations have been extremely valuable to both our nations and to peace, stability and economic progress in Asia. These advantages must not be endangered as we correct the mistakes that have been made by both Democratic and Republican administrations.

My hope is that our government can exhibit as much wisdom, judgment, effectiveness and bipartisan cooperation as has been demonstrated by the select committee.

#### HONORING DANIEL R. GOOLEY ON HIS RETIREMENT

##### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Ms. DELAURO. Mr. Speaker, I stand today to honor one of New Haven, Connecticut's most celebrated citizens. On July 13, 1999, family, friends, and the New Haven community will gather to pay tribute to Daniel R. Gooley as he celebrates his retirement.

Dan Gooley has served the citizens of New Haven in a variety of professional settings for more than half a century. His involvement with the City of New Haven began in 1933 when his father founded Gooley's Pub where Dan acted as managed until he became the proprietor of the pub in 1973. Over the years, Gooley's Pub has been a popular establishment for local businessmen, city officials, politicians, and the local Irish community. Gooley's was known for its warmth, friendliness and high-spirited political discussions.

Dan's own interest in local politics led to his election as a Member of the New Haven Board of Aldermen where he served three terms on the city board. After the closing of the historic saloon, Dan continued to stay involved with the New Haven community by serving a five year term as Deputy Sheriff. His community involvement continued at the Knights of Saint Patrick, where Dan eventually served as President and then assumed the stewardship for the Irish-American fraternal organization. Ethnic-based clubs, particularly in the New Haven area, have helped to enhance the spirit and friendship among its members and realize the importance of family traditions and family values. As the club steward, Gooley managed the organization, dedicating himself to the promotion of the Irish culture in the local community.

Mr. Speaker, it is a pleasure for me to rise today and join with his wife, Phyllis, family, and friends to celebrate this wonderful occasion and to recognize Dan's contributions to the local community. We wish him continued health and happiness in his retirement.

#### PERSONAL EXPLANATION

##### HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. MOORE. Mr. Speaker, on June 7, 1999, due to the failure of USAirways to provide

scheduled service, I missed three votes due to circumstances beyond my control. Had I been present, I would have cast the following votes:

Roll No. 137, approval of the Journal of May 27: "aye."

Roll No. 138, passage of H.R. 435, Miscellaneous Trade and Technical Corrections Act: "aye."

Roll No. 139, passage of H.R. 1915, "Jennifer's Law": "aye."

#### GOD IS WHAT WE NEED

##### HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. BARR of Georgia. Mr. Speaker, this poem was written by Darrell Scott, the father of two victims of the Columbine High School Shooting in Littleton, Colorado:

Your laws ignore our deepest needs  
Your Words are empty air  
You've stripped away our heritage  
You've outlawed simple prayer  
Now gunshots fill our classrooms  
And precious children die  
You seek for answers everywhere  
And ask the question "Why?"  
You regulate restrictive laws  
Through legislative creed  
And yet you fail to understand  
That God is what we need!

#### CONGRATULATIONS TO EDGEWOOD COLLEGE CLASS OF 1999

##### HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Ms. BALDWIN. Mr. Speaker, I rise this morning to pay tribute to the graduating class of Edgewood College, whose 71st commencement was Sunday May 16, 1999. Founded in 1927 by the Sinsinawa Dominicans as a junior college for women, Edgewood College is today an outstanding co-ed, liberal arts school located in the Second Congressional District offering both graduate and undergraduate programs. It sits on a beautiful campus shaded by gnarled oak trees on the shore of Lake Wingra. Committed to excellence in teaching and learning, Edgewood College seeks to develop intellect, spirit, imagination and heart. Its graduates acquire an enduring commitment to service, all from an educational community that seeks truth, compassion, justice and partnership.

My own life has been enriched by classes at Edgewood, where one of its special features is its accommodation of working adults. Americans are increasingly learning the benefits of life-long education, and Edgewood has long been a leader in this field.

I would also note that Edgewood College will confer two honorary degrees, to Gaylord Nelson, former Wisconsin Senator and one of our nation's greatest environmentalists; and to Sr. Angelo Collins, OP, the internationally recognized science education expert. I invite my colleagues to join with me in saluting the Edgewood College Class of 1999.

# RECOGNITION OF OCCUPATIONAL SAFETY AND HEALTH AWARENESS DAYS

## HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to take this opportunity to recognize the efforts of the Region I chapter of the Voluntary Protection Participants' Association and the Safety Council of Western Massachusetts. I applaud the work of this group in combating the serious threat that work-related injuries pose to our communities.

I want to pledge my support for the upcoming Occupational Safety and Health Awareness Days, June 16–17, 1999 organized by the Safety Council. I am pleased to see that the itinerary consists of both interesting and important presentations by local authorities on safety-related topics.

I feel that it is very important to have events such as this to educate the public about what everyone can do to prevent on-the-job accidents and ensure a safe working environment for the people of Western Massachusetts. It is clear that the work of the Safety Council is invaluable in this regard.

Finally I would like to thank the Safety Council for its tireless advocacy of occupational safety and health awareness. Along with the citizens of the Second Congressional District of Massachusetts, I express my most sincere gratitude and the hope that your important work will continue for years to come.

# CELEBRATING THE 100TH ANNIVERSARY OF W.B. NEILSON HOSE COMPANY NO. 4

## HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. SWEENEY. Mr. Speaker, on July 6, 1999, the W.B. Neilson Hose Company No. 4 celebrates its 100th anniversary of fine service to Mechanicville, NY. It is my honor to represent the 22nd Congressional District that is served by such a dedicated department.

I would like to offer my sincerest and most enthusiastic congratulations to every member of the W.B. Neilson Hose Company No. 4 who has worked to maintain such a high level of excellence in fire fighting. With the flicker of an idea, thirty-five enthusiastic volunteers took action, bringing this company to life in 1899.

Over the years the W.B. Neilson Hose Company No. 4 has encountered many obstacles. During the early years, members had to draw the heavy horse cart through narrow, hilly streets and haul the heavy load over a steep bridge, all while facing treacherous weather conditions. These bumps in the road could have spelled disaster for an ordinary company, but they only made the W.B. Neilson Hose Company No. 4 stronger.

The devoted and dedicated members of this company deserve to be commended for their outstanding citizenship. These great men and women selflessly risk their lives in an effort to help and protect their friends and neighbors. Their heroic deeds reach far above and be-

yond the duty of an everyday citizen, and for this I am eternally grateful.

Mr. Speaker, please join me in thanking W.B. Neilson Hose Company No. 4 for a century of outstanding volunteer service to Mechanicville, New York. I am sure that this first hundred years is only the beginning for this wonderful company.

# VETERANS' CEMETERIES ASSESSMENT ACT OF 1999

## HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Ms. BROWN of Florida. Mr. Speaker, I am pleased to be an original cosponsor of H.R. 2040, the Veterans' Cemeteries Assessment Act of 1999, introduced by Chairman BOB STUMP of the Veterans' Affairs Committee.

America made a solemn commitment to those who put their lives on the line for her when in 1862, President Abraham Lincoln signed legislation authorizing the purchase of "cemetery grounds" to be used as national cemeteries "for soldiers who shall have died in the service of the country."

The stated goal of the Department of Veterans Affairs National Cemetery Administration is to assure that the burial needs of veterans are met with a final resting place that commemorates their service to our Nation. Unfortunately, today nearly a third of America's veterans do not have the option of being buried in a national or state veterans cemetery within a reasonable distance from their residence—determined by the VA to be 75 miles.

I was distressed that the VA's Fiscal Year 2000 proposed budget failed to request funding for even the planning of any new national cemeteries although the Department's own statistics show that demand for cemetery space will increase sharply in the near future, with burials increasing 42 percent from 1995 to 2010, and annual veteran deaths reaching 620,000 in the year 2008.

Additionally, I have been deeply concerned that VA continues to ignore the long-identified national veterans cemetery needs of the southern part of my home state of Florida. In both 1987 and 1994, the Miami area was designated by congressionally mandated reports as one of the top geographic areas in the United States in which need for burial space for veterans is greatest. Yet, as late as August 1998, VA's strategic planning through the year 2010 indicated nothing more than a willingness to continue evaluating the needs of nearly 800,000 veterans in the Miami/Ft. Lauderdale primary and secondary service area. Mr. Speaker, that is over 54 percent of the estimated state veteran population and 3.3 percent of the total U.S. veteran population.

Florida has the oldest veterans' population of any state. By VA's estimate, there will be nearly 25,000 veteran deaths in the greater Miami area in FY 2000, and by the year 2010, the annual death rate in South Florida will be nearly 26,000. Unfortunately, the nearest veterans cemetery is 250 miles away. That is why I introduced H.R. 1628 to require the Secretary of Veterans Affairs to establish a national cemetery in the Miami, Florida, metropolitan area to serve the needs of veterans and their families.

The independent study required by H.R. 2040 to assess, among other things, the number of additional national cemeteries that will be required for the interment and memorialization of veterans who die after 2010, will better identify the critical needs of all of Florida, as well as the Nation. Throughout America, Mr. Speaker, 90 percent of eligible veterans are not buried in a state or national veterans cemetery.

Another important matter required to be studied by H.R. 2040 would be improvements to VA burial benefits to better serve veterans and their families. The legislation specifically mandates consideration of a proposal to increase the amount of the plot allowance benefit.

The plot allowance, when paid to a state veterans cemetery, helps defray the state's operating costs of those burial grounds. At a recent hearing of the Veterans' Affairs Subcommittee on Oversight and Investigations, of which I am the Ranking Democrat, veterans organizations and State Directors of Veterans Affairs testified that the concern for high operating cost obligations keeps many states from seeking a VA grant to build and equip a state veterans cemetery.

Mr. Speaker, I would note that the plot allowance benefit—\$150—has not been increased in over 20 years, and is limited to only veterans with wartime service. I believe that an assessment of the plot allowance benefit will find (1) that the current benefit does not cover the cost of interment, (2) that the current eligibility criteria discriminates against 20 percent of the veteran population who are buried in a state cemetery but who are otherwise eligible to be buried in a national cemetery, and (3) that an increase in the benefit amount and an expansion of the eligibility criteria would provide the needed incentive for more states to establish state veterans cemeteries as complements the national cemetery system.

H.R. 2040 will provide Congress with the road map needed to fulfill the Nation's solemn obligation to its heroes—that they and their families be provided an appropriate resting place of honor. I urge Members to support this legislation.

# COMMEMORATING THE 36TH ANNIVERSARY OF EQUAL PAY ACT

## HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Ms. ROYBAL-ALLARD. Mr. Speaker, thirty-six years ago today, President Kennedy signed the Equal Pay Act. In 1963, when this law was enacted, women earned only 58 cents for every dollar earned by men.

Since then, women have made great strides. For example, women are now a major part of our Nation's workforce and have started their own businesses in record numbers. Women are being admitted to college and graduating at rates on par with men, often breaking into many fields which were formerly open only to men.

Yet in spite of these gains, the wage gap between men and women still persists. Today women earn only 75 cents for every dollar a man earns, and for minority women, the wage

gap is even greater. African American women earn 65 cents and Hispanic women only 55 cents for every dollar earned by a man.

The tragedy of this wage discrepancy is highlighted by the fact that four out of every five households depend on a woman's income just to make ends meet. This crisis is further exacerbated by the rise in female-headed households, which makes women's income critical to the well-being of our Nation's children.

When you consider that receiving less pay means that women will also have less retirement security, the enormity of the problem is magnified. For example, less than 40% of women in the private sector have pensions, and those with pensions receive 50% less than what men receive. This is a critical problem given that women tend to outlive men, often by several years.

So, although women have made some gains since President Kennedy signed the Equal Pay Act, clearly, much more needs to be done to erase the disparity in wages that exists between men and women in order to achieve true pay equity.

Two bills have been introduced during this Congress that seek to remedy this wage disparity: H.R. 541, the Paycheck Fairness Act, introduced by Congresswoman ROSA DELAUNO, and H.R. 1271, the Fair Pay Act, introduced by Delegate ELEANOR HOLMES NORTON.

The Paycheck Fairness Act strengthens current law by allowing women to collect damages for pay discrimination. It also ensures that employers who have taken steps to provide equal pay get the recognition they deserve. The Fair Pay Act prohibits wage discrimination based on sex, race, or national origin for work in equivalent jobs.

I encourage my colleagues in Congress to support these important bills, and I urge the leadership of the House of Representatives to take action to address the issue of wage inequality in our country.

CONGRATULATING BREAD FOR  
THE WORLD ON ITS 25TH ANNI-  
VERSARY

**HON. MARGE ROUKEMA**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate the Bread of the World organization on its 25th anniversary of seeking to feed the world's neediest individuals—those who suffer from hunger. There is no more basic need for survival than adequate nutrition, and these dedicated, compassionate volunteers are deserving of our deepest thanks. Without their efforts, millions of people around the globe might literally have starved to death in the past quarter century.

For 25 years, Bread for the World has been blessed with the commitment of tens of thousands of people united to one goal: seeking justice for the world's hungry people. This month, I join my colleagues in Congress and on the board of Bread for the World in welcoming Bread for the World members to Washington for their National Gathering, Silver Anniversary Celebration, and Annual Lobby Day.

Bread for the World is a nonpartisan, Christian citizens' movement. Its mission is to

change public policy to address the root causes of hunger and poverty in the United States and the world. Bread for the World members lobby the nation's decision-makers for policies that benefit hungry and poor people in the United States and around the world.

The organization was launched in 1974, after a small group of Catholics and Protestants began meeting to reflect on how persons of faith could be mobilized to influence U.S. policies that address the causes of hunger. Under the leadership of the Reverend Arthur Simon, the group quickly grew. Now, more than 44,000 members and churches belong to the ranks of Bread for the World and, led by the Reverend David Beckmann, serve as citizen advocates for hungry people.

Year after year, Bread for the World members win victories for hungry people from increased funding for child nutrition programs to investments in African farmers to restoration of food stamps to vulnerable legal immigrants. This year, Bread for the World members are part of Jubilee 2000, a worldwide movement for debt relief, and are supporting legislation providing debt relief for poverty reduction.

I am proud to be a member of the Board of Directors of Bread for the World. I believe it is nothing short of criminal that children go to bed hungry in this, the wealthiest nation in the world. Hunger is a completely preventable condition that stunts the growth and health of our youth and cripples the ability of adults to contribute to our society. I have long worked to fight hunger, sponsoring bills like the Hunger Has a Cure Act and fighting cuts in food stamps, the school breakfast/lunch program, Emergency Food Assistance, and WIC, among others. My commitment to this issue is unwavering.

In this 25th anniversary year of Bread for the World, I would like to take this opportunity to give thanks for their advocacy and wish them continued blessings in the years ahead, as they seek an end to hunger. There are few higher callings.

IN HONOR OF THE TENTH ANNI-  
VERSARY OF THE NEW YORK  
CITY LAB SCHOOL

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mrs. MALONEY of New York. Mr. Speaker, I rise to salute and commend an exceptional public school in New York City as it celebrates its 10th Anniversary. The New York City Laboratory School for Gifted Education is a prime example of public school education at its best.

The school was founded in 1988 with the help of former Board of Education Chancellor Joseph Fernandez and the former District 2 Superintendent Anthony Alvarado. Since its inception, this school has continued to provide a nurturing, safe environment for gifted children, allowing them to the freedom to explore their interests and broaden their horizons while they are enrolled as students.

The New York City Lab School strives to provide each child with an individualized and research-based curriculum where they are challenged to work both independently and collaboratively with their peers. The students also have the opportunity to take advantage of

the school's excellent academic and extra-curricular programs such as Spanish as a Foreign Language award winning Math and Chess Teams, and university partnerships with New York University and City College.

State of the art facilities such as the new Media Center, libraries in every classroom and both IBM and Macintosh computers in every room all contribute to the vibrant and enriching environment of this school. All of these factors have proven successful with students.

The New York City Lab School was the highest performer on the New York State Fourth grade English test. IN 1997 they were second in the city and in 1998 their scores had risen by 17%.

Best of all might be the students, faculty and staff of the school itself. The children are not only gifted but they all possess a love of learning and are all curious and excited about the many experiences they have had and will have in the future at their school.

The faculty are constantly challenged to take risks in the classroom and introduce students to new and interesting ways to respond to their ideas and questions. Faculty are also consistently questioning their own teaching styles and methods so that they may improve and continue to provide excellent interactions with the students.

The leadership of the director, Ms. Elizabeth Marra Kasowitz, is an important guiding force behind this school. With her dedication and consistent role in the school, she is able to work alongside the entire school community to help continue the school's long standing reputation of excellence and dedication to a gifted education.

Parents also play an important role in the community of the New York City Lab School. Parents of students contribute great amounts of time, energy and effort by volunteering in many ways.

The entire community of the New York City Laboratory School for the Gifted is an example of how dedication, hard work and personalized relationships lead to positive and phenomenal results. I ask my colleagues to join me in commending the entire community of the New York City Laboratory School.

A TRIBUTE TO SANTA CLARITA,  
CALIFORNIA'S HERO OF THE  
WEEK PROGRAM

**HON. HOWARD P. "BUCK" McKEON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. McKEON. Mr. Speaker, it is an honor for me to bring to the attention of the House of Representatives a wonderful program that exists in the city of Santa Clarita called the "Hero of the Week" and those individuals honored in this program.

The program is jointly sponsored by the City of Santa Clarita Anti-Gang Task Force and Mad About Rising Crime Santa Clarita Chapter under the direction of Mr. Gary Popejoy. Started by Maria Fulkerson and Lorraine Grimaldo of the Santa Clarita Anti-Gang Task Force, the "Hero of the Week" program focuses on more of the positive actions of our youth rather than the negative. The program honors students for their positive actions and choices they have demonstrated. The students

from the Santa Clarita Valley Junior and Senior High Schools are recommended by teachers and principals based on their observations of the student exhibiting positive behavior.

The students that are selected exhibit the qualities that we are looking for in future leaders of our nation. These students, many of whom have had previous problems of one sort or another, have made remarkable improvements in many different areas. I am pleased to honor these students today here on the House floor.

On June 2, 1999 the "Hero of the Week" program honored 47 members of my community for their outstanding activities that truly made them heroes in our neighborhood. These students have faced serious obstacles and, in many cases, faltered in the face of adversity. However, none of these students gave up. Their hard work and determination have truly earned them the title "Hero" in our community.

Mr. Speaker, I would like to conclude these remarks by listing the 47 students honored by the city last week. I congratulate them and the sponsoring organizations for such a wonderful, positive program.

#### HERO OF THE WEEK HONOREES

Neal Abrams, Canyon High School  
 Jose Avila, Arroyo Seco Jr. High School  
 Monica Barajas, Placerita Jr. High School  
 Allison Barlow, La Mesa Jr. High School  
 Adrian Becerra, La Mesa Jr. High School  
 Chris Butterrick, Sierra Vista Jr. High School  
 Brett Cain, Arroyo Seco Jr. High School  
 Raymond Cano, Hart High School  
 Anthony Cisneros, Sierra Vista Jr. High School  
 Keith Farley, Canyon High School  
 Dylan Foley, Placerita High School  
 Sheryllene Go, Saugus High School  
 Ashley Hope, Sierra Vista Jr. High School  
 Jared Kennedy, Arroyo Seco Jr. High School  
 Kristian Kimoto, Hart High School  
 Russell King, Arroyo Seco Jr. High School  
 Johnny Lara, Hart High School  
 Chris Lockwood, Valencia High School  
 Selena Lopez, Saugus High School  
 Ashlie Madden, Placerita Jr. High School  
 Luis Marin, Placerita Jr. High School  
 Ana Medrano, Bowman High School  
 Denika Mercado, Saugus High School  
 Charissee Miranda, La Mesa High School  
 Michele O'Kray, La Mesa Jr. High School  
 Emily Osborne, Arroyo Seco Jr. High School  
 Andrew Pacheco, Bowman High School  
 Jimmy Perry, Canyon High School  
 Erik Plessner, Saugus High School  
 Brittney Potes, Hart High School  
 Marina Preciado, Saugus High School  
 Naji Qammou, Bowman High School  
 Mike Raiman, Sierra Vista Jr. High School  
 Daniel Rettig, Saugus High School  
 Jorge Rodriguez, Bowman High School  
 Danielle Sozio, Canyon High School  
 Sean Pennala-Taylor, Sierra Vista Jr. High School  
 Denny Tucker, Valencia High School  
 Adriana Varela, Saugus High School  
 Jorge Vargas, Hart High School  
 Rene Vasquez, Placerita Jr. High School  
 Jaclyn Vigeant, Arroyo Seco Jr. High School  
 Danielle Walters, Sierra Vista Jr. High School  
 Joe Young, Sierra Vista Jr. High School  
 Megan Young, Placerita Jr. High School  
 Oscar Zapata, Canyon High School

#### MASSACHUSETTS SENIOR ACTION COUNCIL DOCUMENTS HARM DONE BY MEDICARE CUTS

#### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1999

Mr. FRANK of Massachusetts. Mr. Speaker, during the Congressional recess, I spent a very useful two hours at the University of Massachusetts-Dartmouth meeting with a large number of older people at a rally called by the Massachusetts Senior Action Council. One of the very impressive aspects of that rally was a series of short, poignant examples given by members of the Council of the terrible harm that is being done by the cut backs in Medicare that we are now inflicting on older people, most of which are a direct result of the terribly mistaken legislation adopted by Congress and signed by the President in 1997.

Younger people reading this might not be aware of a central fact: as currently constituted, Medicare includes no payment for prescription drugs. We in Massachusetts used to have a law which required that HMOs provide prescription drugs, but that was crudely abolished by the 1997 so-called Balanced Budget Act as part of the effort to cut Medicare to make funds available for other purposes. And that bill also required for the same reason severe cut backs in home health care. I ask that these examples of the terrible damage that is being done by the 1997 Act be printed here, in the hopes that it will influence our colleagues to join those of us who are seeking to undo the grave error Congress made in 1997 in cutting Medicare.

TESTIMONY GIVEN AT THE MASS. SENIOR ACTION COUNCIL RALLY TO PRESERVE AND PROTECT MEDICARE AND SOCIAL SECURITY, JUNE 1, 1999

Armando and Alexandria Demelo live in Fairhaven. They are 75 and 78 years old. They both have life threatening medical conditions. Their prescription drug costs are currently \$6,000 per year.

William Kirby lives in East Wareham. He is 83 years old. He has emphysema. His prescription drug costs are over \$800 per month.

Arthur and Mary Travassos live in Fall River. They both have serious health problems and Arthur is currently in the hospital. They were lucky enough to be able to switch out of their HMO in time to another plan which is now closed. Between the two of them they pay over \$7,000 yearly in prescription drug costs.

Del Silvia worked as a stitcher in the Fall River mills for 37 years. She is 63 years old. She is on nine prescription drug medications in order to keep her lungs functioning. Before Del got out of her Medicare HMO she had over \$10,000 in prescription drug costs per year.

An 84 year old Portuguese woman who lives in New Bedford was admitted to the hospital in the middle of the night with severe cramping in her abdomen. Thank God she did not have a serious obstruction. Her HMO denied payment for her care in the hospital.

An 85 year old woman from Southeastern Mass. was discharged from the hospital after an operation for colon cancer. She had been in the hospital a full month. She was approved by Medicare for only 4 home health visits.

A 73 year old woman from Fall River returned from the hospital after knee surgery.

She was denied home health services by her HMO.

Loretta Lamond from New Bedford passed away last year. She was 85 years old. She was diabetic and blind and could not fill her own insulin needles. Medicare cut off her nurse who came to the house to assist her with the needles.

These are only a few of the countless stories we hear every day. The sickest and most vulnerable—those who can not always speak for themselves are hit the hardest.

Something must be done!

#### LEGISLATION TO EXTEND MANDATORY COVERAGE OF THE INDEPENDENT COUNSEL LAW TO JUSTICE DEPARTMENT EMPLOYEES

#### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1999

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to require the U.S. Attorney General to call for the appointment of an independent counsel to investigate allegations that Justice Department employees engaged in misconduct, criminal activity, corruption, or fraud. The bill is similar to legislation I authored in the last three Congresses.

The independent counsel provisions of the Ethics in Government Act of 1978 require the Attorney General to conduct a preliminary investigation when presented with credible information of criminal wrongdoing by high-ranking executive branch officials. If the Attorney General finds that further investigation is warranted or makes no finding within 90-days, the Act requires the Attorney General to apply to a special division of the U.S. Court of Appeals for the appointment of an independent counsel. The Act also gives the Attorney General broad discretion in seeking the appointment of independent counsel with regard to individuals other than high ranking executive branch officials. However, the Attorney General is not required to do so in such cases.

My bill amends the Act to treat allegations of misconduct, corruption or fraud on the part of Justice Department employees in the same manner as allegations made against high-ranking cabinet officials. My goal is to ensure that, when there is credible evidence of criminal wrongdoing in such cases, these cases are aggressively and objectively investigated.

I am very concerned over the growing number of cases in which Justice Department employees have been accused of misconduct, corruption or fraud. In several cases I have personally investigated, innocent men fell victim to overzealous or corrupt federal prosecutors. No action has ever been taken against the prosecutors.

The 1992 Randy Weaver incident that took place in Ruby Ridge, Idaho is perhaps the most notorious and disturbing example of Justice Department employees, in this case, high-ranking officials, acting in a questionable manner, and receiving no punishment other than disciplinary action. In the Randy Weaver case, an unarmed woman holding her infant child was shot to death by an FBI sharpshooter acting on orders from superiors. Former FBI deputy director Larry Potts allegedly approved the decision to change the rules of engagement

the FBI sharpshooters and other federal officials at Ruby Ridge were acting on. The decision allowed FBI sharpshooters to shoot on sight any armed adults—whether they posed an immediate threat or not. As a result of this decision, Vicki Weaver was shot to death while holding her infant daughter.

While several officials, including Mr. Potts, were disciplined—some forced to leave the department—no criminal charges were ever filed against any of the officials involved in the Ruby Ridge incident. I would point out that at the outset of the incident a 14-year-old boy was shot in the back by U.S. Marshals. In August of 1996 the federal government agreed to pay the Weaver family more than \$3 million—but did not admit any wrongdoing in the incident. The Ruby Ridge incident served as a stark reminder that the Justice Department does not do a very good job in objectively and aggressively investigating potential criminal acts or misconduct on the part of Justice Department employees. This is especially true of actions involving Justice Department attorneys.

In 1990, a congressional inquiry found that no disciplinary action was taken on 10 specific cases investigated by the Justice Department's Office of Professional Responsibility (OPR) in which federal judges had made written findings of prosecutorial misconduct on the part of federal prosecutors. Several federal judges have expressed deep concern over the lack of supervision and control over federal prosecutors. In 1993, three federal judges in Chicago reversed the convictions of 13 members of the El Rukn street gang on conspiracy and racketeering charges after learning that assistant U.S. attorneys had given informants alcohol, drugs and sex in federal offices in exchange for cooperation, and had knowingly used perjured testimony. No criminal charges have ever been made against the federal prosecutors nor has OPR taken any meaningful disciplinary action, other than firing one U.S. attorney.

Unfortunately for our democracy, over the years the Justice Department has built a wall of immunity around its attorneys so that it is extremely difficult to control the actions of an overzealous or corrupt prosecutor. In many instances, the attorney general has filed ethics complaints with state bar authorities against nongovernment lawyers who complain about ethical lapses by federal prosecutors. How has Congress let this agency get so out of control?

The majority of Justice Department officials are hardworking, courageous and dedicated public servants. The unethical and criminal actions of a few officials and attorneys are tarnishing the reputation of the department. By allowing these actions to go unpunished or by not taking aggressive action in the form of criminal indictments, the department is eroding the public's confidence in government.

As the El Rukn case illustrated, in their zeal to gain a conviction, federal prosecutors overstepped the boundaries of ethical and legal behavior. As a result, dangerous criminals were either set free or received greatly reduced sentences. Such actions are unacceptable. The federal government needs to act in an unambiguous and aggressive manner against any federal prosecutor or official who betrays the public trust in such a blatant and damaging fashion. Sadly, that was not done in the El Rukn case, and countless other cases where Justice Department officials acted in an unethical or illegal manner.

The American people expect that the Justice Department—more than any other federal agency—conduct its business with the highest level of ethics and integrity. It is imperative that the Independent Counsel Act be amended to require that allegations of criminal misconduct on the part of Justice Department employees be treated with the same seriousness as allegations made against high-ranking cabinet officials. I urge all of my colleagues to support this bill.

H. CON. RES. 124 AND H. CON. RES. 111—CONDEMNING DISCRIMINATION AGAINST ASIAN AMERICANS

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. STARK. Mr. Speaker, I rise today to actively support both H. Con. Res. 124, which seeks to protect the citizenship rights of Asian Americans, and H. Con. Res. 111, which seeks to condemn all forms of discrimination against Asian Americans.

In response to recent allegations of espionage and illegal campaign financing by the Chinese government, H. Con. Res. 124 conveys the very important point that all Americans of Asian descent are vital members of our society and that they are to be treated fairly and equally as American citizens.

It is our duty to make the clear distinction between our relations with the government of China and how we treat Americans of Chinese descent. We must work together to prevent the rise of tensions similar to those existing during the World War II era with the internment of loyal Japanese Americans.

Asian Americans have made and continue to make significant contributions to our society in areas, such as the arts, education, and technology. H. Con. Res. 111 fully supports the continued political and civic participation by these citizens throughout the United States.

Organizations like the Oakland Chinese Community Council (OCCC) of the East Bay area work to not only help Americans of Asian descent assimilate into American culture, but help them to maintain their Asian heritage and identity as well. More specifically, OCCC has developed programs for career referral, voter registration, and training in efforts to aid new immigrants with successfully attaining their goals upon entering the United States.

I ask my colleagues to join with me in the outward condemning of discrimination against Asian Americans and in the protection of their rights as American citizens so that they may be treated with the equality and fairness that is rightfully expected and deserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

SPEECH OF

**HON. TOM BLILEY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 10, 1999*

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 1401) to authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 and 2001, and for other purposes:

Mr. BLILEY. Mr. Chairman, I rise today to express a number of concerns about H.R. 1401, the National Defense Authorization Act for FY2000, as well as about the process used to bring this legislation to the floor of the House. Key provisions of this legislation, along with a number of amendments made in order under the rule, address programs and activities of the Department of Energy that fall within the jurisdiction of the Committee on Commerce under the Rules of the House. Several examples will serve to highlight these areas of concern.

Section 3165 of H.R. 1401 consolidates responsibility for nuclear weapons activities, facilities, and laboratories under DOE's Assistant Secretary for Defense Programs. This effort to reorganize the responsibilities at the Department of Energy falls within the Committee on Commerce's responsibility for the general management of the Department of Energy, including its organization. The facts that have come to light about lax security controls at the Los Alamos National Laboratory highlight the dangers of a nuclear weapons laboratory trying to police its own security. Secretary Richardson is moving toward the appointment of a security "czar" at DOE headquarters who would oversee security for all DOE facilities, laboratories, and operations. This section of H.R. 1401, however, would run directly counter to that approach by giving the program office, Defense Programs, responsibility for its own safeguards and security operations. Separate from the merits of a particular organizational solution, we should also preserve the prerogative of the Secretary of Energy to adapt his organization to changing circumstances. H.R. 1401 locks in a particular structure legislatively.

The Commerce Committee has a long history of ensuring that DOE maintains a system or independent checks on its program offices, including its work on the Department of Energy Organization Act. The Commerce Committee believes it is essential to maintain the safeguard and security function independent from the Defense Programs office. The same is true of other oversight functions, such as environmental protection and occupational health and safety. These should not be integrated into the DOE program offices, but should maintain the independence necessary to do the job right.

Amendment No. 2, offered by Mr. SPENCE, requires preparation of a plan to transfer all of the national security functions of the Department of Energy to the Department of Defense. Such a move is unwise, as it would violate the long-standing policy in this country of keeping the development of nuclear weapons and materials under the control of a civilian agency, separate from the military departments which might have to employ those weapons. This policy dates back to the original Atomic Energy Act enacted shortly after the end of World War II. Integrating all of these functions into the Department of Defense is a risky policy, and represents an unreasoned reaction to the recent Chinese espionage problems. This amendment would also impose stricter controls on foreign contacts by DOE employees,



consultants, and contractors. While such controls may make sense in light of recent events at the Los Alamos National Laboratory, this provision has the potential to sweep too broadly, possibly encompassing any employee of DOE contractors who possess a security clearance. This could pose an impossible burden on DOE to monitor the foreign contacts of all of these potentially-covered persons.

The approach taken on this issue by Amendment No. 1, offered by Mr. COX and Mr. DICKS, is preferable. However, the Cox-Dicks amendment also makes a number of significant organizational changes to the Department of Energy, changes which are appropriately under the jurisdiction of the Committee on Commerce. While many of these changes make sense from a substantive perspective, such as the creation of separate Offices of Foreign Intelligence and Counterintelligence within the Department of Energy, these would be changes better handled by the Committee pursuant to its authority over the management of the Department of Energy.

These jurisdictional concerns extend to the process used to bring H.R. 1401 to the floor. The normal intercommittee review process for the rule for this legislation, and for consideration of amendments to H.R. 1401, has been extremely truncated. The Committee on Commerce, one of the committees with primary jurisdiction over Department of Energy programs, has had only a minimal opportunity for review and comment on these major substantive provisions. While the situation with respect to China is highly charged and does call for a timely legislative response, we must remember that our internal House procedures are there for a reason—to ensure that we reach sound legislative decisions. Taking shortcuts with the normal committee review process increases the risk that we will pass legislation with unintended consequences. I have articulated many of these concerns in a letter to Chairman SPENCE, and I will insert it into the RECORD at this point.

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON COMMERCE,  
Washington, DC, May 24, 1999.

Hon. FLOYD SPENCE,  
Chairman, Committee on Armed Services, Washington, DC.

DEAR MR. CHAIRMAN: I am following up on my correspondence of May 21, 1999 concerning H.R. 1401, the National Defense Authorization Act for Fiscal Year 2000. After consultation with the Parliamentarians, we continue to believe that several provisions of H.R. 1401, as ordered reported, may fall within the jurisdiction of the Committee on Commerce. These provisions include:

Section 321—Remediation of Asbestos and Lead-Based Paint. One reading of this provision would permit a waiver of applicable law with respect to the remediation of asbestos and lead-based paint. I am sure that that is not the legislative intent of the language, however.

Section 653—Presentation of United States Flag to Retiring Members of the Uniformed Services not Previously Covered;

Section 3152—Duties of Commission. This section, as ordered reported, makes clear that the Commission on Nuclear Weapons Management formed pursuant to Section 3151 will specifically deal with environmental remediation. Such matters are traditionally within the jurisdiction of the Commerce Committee. I understand, however, that you have deleted subsection (a)(9) from this section, and therefore the Committee registers no jurisdictional objection.

Section 3165—Management of Nuclear Weapons Production Facilities and National Laboratories. As ordered reported, this section contains a number of provisions which we feel strongly fall within the Committee's Rule X jurisdiction over management of the Department of Energy. In particular, we are concerned about provisions which move functions heretofore carried out by various offices within the Department to the direct control of the Assistant Secretary for Defense Programs. We believe that this kind of wholesale reorganization of DOE functions must be considered by all of the committees of jurisdiction, including the Committee on Commerce.

However, recognizing your interest in bringing this legislation before the House expeditiously, the Commerce Committee has agreed not to seek a sequential referral of the bill based on the provisions listed above. By agreeing not to seek a sequential referral, the Commerce Committee does not waive its jurisdiction over the provisions listed above or any other provisions of the bill that may fall within its jurisdiction. The Committee's action in this regard should not be construed as any endorsement of the language at issue. In addition, the Commerce Committee reserves its right to seek conferees on any provisions within its jurisdiction which are considered in the House-Senate conference.

I request that you include this letter in the Record during consideration of this bill by the House.

Sincerely,

TOM BAILEY,  
Chairman.

Finally, I must take this opportunity to discuss a matter that will have a tremendous impact on the future of the market for telecommunications services. Section 151 of the bill adds a new section 2282 to Title 10 of the U.S. Code to prohibit the Secretary of Defense from obligating monies to buy a commercial satellite communications system or to lease a communications service, including mobile satellite communications, unless doing so would not cause harmful interference with the Global Positioning System (GPS) receivers used by the Department of Defense (DoD). It is my hope that the provision is intended only to provide policy guidance to the DoD regarding the protection of the GPS from harmful interference by other users of the radio spectrum. However, the specific language in section 151 goes much further and has potential unintended consequences that may undermine the spectrum management process under which both the public and the government have operated successfully for many years.

Spectrum management issues fall within the jurisdiction of the Commerce Committee. As our Members have learned over the years, spectrum management is a complex task that requires detailed analysis and consideration. We have also learned that advocacy for spectrum policy for one purpose cannot be considered in a vacuum or without considering the impact it will have on other spectrum users.

The use of the government-created GPS network of satellites by the public has mushroomed over the last several years. Private companies continue to create valuable position location devices that will assist in the protection of life and property. We should take appropriate steps to protect and promote the use of the GPS network. In fact, two years ago, the Congress enacted the National Defense Authorization Act for Fiscal Year 1998 (P.L. 105-85) which included a section endorsing and enacting into law the presidential

policy on the sustainment and operation of GPS issued in March 1996. The section also directed the Secretary of Defense not to accept any restriction on the GPS system proposed by the head of any other department or agency in the exercise of that official's regulatory authority that would adversely affect the military potential of GPS. Members of the Committee on Commerce were appointed as conferees on this provision and participated in the conference negotiations.

The GPS network of satellites, like all spectrum users, operates in a community of spectrum users. Neighboring users of the band included the U.S.-promoted and licensed Mobile Satellite System networks such as GlobalStar, Iridium, Ellipso and Constellation, one of which is already fully operational and another of which is poised to commence operations later this year. Several agencies of the U.S. Government, including the DoD, have worked domestically and internationally to resolve the many technical issues surrounding the operations of these systems and the standards their equipment must meet to protect the community of spectrum users. As I understand it, DoD has not opposed the operations of any of the licensed Mobile Satellite Systems. In fact, it already is a customer of one of these systems.

Moreover, the FCC is in the midst of a number of proceedings that address protection standards between GPS and its spectrum neighbors. DoD and the defense community will have ample opportunity to participate in the ongoing FCC proceedings and to work with Federal Communications Commission (FCC) and the National Telecommunications and Information Administration (NTIA) within the Department of Commerce, the appropriate agencies for spectrum management, to ensure that their interests are protected.

In May of this year, the Subcommittee on Telecommunications, Trade, and Consumer Protection of the Commerce Committee held a legislative hearing on the reauthorization of NTIA. As part of that hearing, Assistant Secretary Larry Irving, Administrator of NTIA, indicated that "NTIA is also addressing issues that will protect the radio spectrum currently used by the global positioning system (GPS) and facilitate the expansion of GPS services. . . . In order for GPS to be used reliably and confidently as a worldwide utility, the radio spectrum within which it operates must be protected. . . . NTIA will also continue its efforts to work with the Department of Transportation, the Department of Defense, the Department of State, the FCC, and the private sector to ensure that spectrum is available in the future for this purpose."

It is my firm belief that we should not circumvent these ongoing processes unless absolutely necessary. There is no reason to interfere at this time. If, at the end of the day, DoD is not comfortable with the resolution of the administrative process and can demonstrate the potential harm to GPS, the Commerce Committee is prepared to consider its concerns and take action as necessary. I would also urge DoD and other GPS users to participate in the proceedings now before the FCC. The defense authorization process should not be used to end-run the spectrum management process that has worked so well for so long. It is interesting to note that DoD has made clear in conversations with Commerce Committee staff that it did not request

nor does it seek inclusion of section 151 in the defense authorization process.

Accordingly, I believe that section 151, coupled with two spectrum-related provisions within the Senate's Department of Defense Authorization Act for Fiscal Year 2000 (§§ 1049 and 1050 of S. 1060), may have a negative impact on telecommunications policy. The Commerce Committee will be active to ensure that the inclusion of any provision within the final version of a defense authorization bill not interfere or cause harm to telecommunications policy. I respectfully request that these concerns be taken into account during further consideration of this legislation.

Mr. Chairman, thank you for this opportunity to comment on H.R. 1401, the Defense Authorization Bill for fiscal year 2000.

CONCERNING THE ADMINISTRATION OF THE OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS PROGRAM BY THE DEPARTMENT OF AGRICULTURE

**HON. JOE SKEEN**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. SKEEN. Mr. Speaker, I support funding grants to 1890, 1862, and 1994 Land Grant Colleges and Institutions to enhance the viability of small farmers by providing training and technical assistance in overall farm management practices. H.R. 1906 provides \$3,000,000 in funding for the program in fiscal year 2000, the same level as 1999 and provides that the Secretary of Agriculture may transfer up to \$7,000,000 from the Rural Housing Insurance Fund Account for "Outreach for Socially Disadvantaged Farmers." However, I am concerned about the Department of Agriculture's track record in the delivery of this program to date.

Since the program was authorized by Section 2501 of the Food, Agriculture, Conservation and Trade Act of 1990, the management of the program has been transferred to several agencies in the Department ending in the Office of Outreach under Departmental Administration since 1998.

USDA has not audited the program even though questionable fiduciary practices have surfaced, including two violations of the Antideficiency Act in 1996. In addition, in 1998, the USDA's Office of Outreach coordinated \$4.8 million in cooperative agreements with other USDA agencies for small farmer outreach training and technical assistance with the same universities and colleges that have received funding under the Section 2501 authorities.

I believe USDA should carefully review the funding and management requirements for the program and take appropriate action to ensure that eligible farmers and ranchers receive full benefit and that the American taxpayers' funds are being well spent.

For the record, I am submitting copies of the Antideficiency Act notification letters and respectfully request they be included in the CONGRESSIONAL RECORD.

JUNE 17, 1997.

Hon. FRANKLIN D. RAINES,  
*Director, Executive Office of the President, Office of Management and Budget, Washington, DC.*

DEAR FRANK: As required by OMB Circular Number A-34, section 32.2, the Department of Agriculture (USDA) is reporting to the President, through your office, two violations of the Antideficiency Act with respect to USDA's Outreach for Socially Disadvantaged Farmers Program.

Please let me know if additional information is needed.

Sincerely,

DAN GLICKMAN,  
*Secretary.*

JUNE 17, 1997.

Enclosure.

The PRESIDENT,  
*The White House, Washington, DC.*

DEAR MR. PRESIDENT: This letter is to report two violations of the Antideficiency Act, as required by section 1351 of Title 31, United States Code.

Both violations occurred in the Outreach for Socially Disadvantaged Farmers Program account (1260601) of the Farm Service Agency (FSA). The program was transferred from Rural Development to FSA on October 1, 1995, under the Department of Agriculture's reorganization. The violations occurred on August 15, 1996, and August 27, 1996, and involved the obligation of funds which exceeded the amount available in the fiscal year (FY) 1996 appropriation for the Outreach for Socially Disadvantaged Farmers Program. Officers responsible for the violations were Carolyn B. Cooksie, Deputy Administrator for Farm Loan Programs and John I. Just-Buddy, Chief, Economic Enhancement Branch, FSA.

The violations occurred with the awarding of cooperative agreements by program officials which obligated \$100,000 to South Carolina State University and \$25,414.24 to Langston University. The agreements obligated funds exceeding the amount available in the FY 1996 appropriation for the Outreach for Socially Disadvantaged Farmers Program because the program managers erroneously assumed, based on informal advice they requested from FSA budgetary staff, that unexpended funds from the expired FY 1993 appropriation were available for new agreements. Program officials were unfamiliar with budget and fiscal terminology and procedures, and the FSA budget staff misunderstood the program manager's request regarding fund availability. The violations were identified in time to prevent the actual expenditure of funds in excess of the appropriation.

There is no evidence that anyone knowingly or willfully violated the law. Thus, no disciplinary action has been taken.

An adequate funds control system for FSA is in place. Officials responsible for these antideficiency violations have been counseled to verify the availability of funds prior to entering into future cooperative agreements.

The Outreach for Socially Disadvantaged Farmers Program was transferred to the Natural Resources Conservation Service (NRCS) on October 1, 1996. NRCS has been provided a copy of this letter.

Identical letters will be submitted to the presiding officer of each House of Congress.

Respectfully,

DAN GLICKMAN,  
*Secretary.*

IN HONOR OF COMMISSIONER  
JIMMY DIMORA

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. KUCINICH. Mr. Speaker, I rise today to invite my colleagues to pay tribute to Jimmy Dimora, on the occasion of his being honored for his twenty-eight years of service to the Cuyahoga County community.

Jimmy Dimora is a dedicated public official who has contributed a substantial portion of his life to the betterment of his community. He is especially committed to maintaining ties to labor organizations and helping the working men and women in the community. He has held a variety of public offices, ranging from Mayor of Bedford Heights to the Commissioner of Cuyahoga county. In addition to his service as a dedicated public official, he has devoted much of his time to community initiatives. Some of this activities Commissioner Dimora has been involved with include: a member of the Board of Trustees for the University Hospitals Health System Bedford Medical Center, and leadership rolls in the United Way, Shoes for Kids and the YMCA. Additionally, he has served as chairman of the Cuyahoga Democratic Party since 1994.

Although his work and community service put extraordinary demands on his time, Commissioner Dimora has never limited the time he gives to his most important interest his family especially his lovely wife, Lori.

I ask that my distinguished colleagues join me in commending Commissioner Jimmy Dimora for his lifetime of dedication, service, and leadership in Cuyahoga County. His large circle of family and friends can be proud of this significant contributions he has made. Our community has certainly been rewarded by the true service and uncompromising dedication displayed by Commissioner Jimmy Dimora.

CONGRATULATIONS TO JIM SELKE

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. MCINNIS. Mr. Speaker, it is with great pleasure that I now recognize Mr. Jim Selke, who after 31 years of dedication to educating the students of District 51 in Grand Junction, Colorado, has decided to retire. In doing so, I would like to pay tribute to the extraordinary career of this remarkable individual, who for so many years, has worked to shape the minds of the youth of Grand Junction, and who has worked to preserve a high standard of education.

Mr. Selke began his career in Grand Junction, Colorado at Central High School in 1968, and for 24 years he served in various capacities, coaching football and baseball, and serving as activities coordinator. After his years of inspiring the students of Central High School, Mr. Selke was ready to return to the classroom.

For the past 7 years, Jim Selke has served as the athletic director for Palisade High School. There is no doubt that his positive attitude and uplifting words of encouragement will



be missed. Teachers like Mr. Selke, who give tirelessly to their students and inspire great success, are a rare breed.

It is with this, Mr. Speaker, that I say thank you to Mr. Selke and wish him the best of luck as he begins his much deserved retirement.

INTRODUCTION OF "MEDICARE HOSPITAL CAPITAL EFFICIENCY PROMOTION ACT OF 1999," 11TH IN A SERIES OF MEDICARE MODERNIZATION BILLS

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. STARK. Mr. Speaker, I am today introducing the 11th in a series of bills to modernize Medicare, obtain long-term savings, and make the program more efficient, without forcing beneficiaries to make radical changes.

The bill would give Medicare authority to reduce capital payments 25% to hospitals in areas where we have more than an average number of beds and the occupancy rate is below the national average. Exceptions would be made if capital payments to these hospitals were used to merge or downsize or if the Secretary determined that special circumstances required a capital expansion.

Mr. speaker, a major force making American health care the most expensive in the world is that we have way, way too many hospital beds. In California, occupancy has been below 50% for years. Throughout the nation, many hospitals are at 20 to 30% occupied. No one would run a modern factory at these occupancy rates and certainly no banker would willy-nilly put more capital into such an industry. Yet the taxpayer consistently makes billions of dollars a year in automatic payments for capital to the nation's hospitals.

Dr. John Weinberg of Dartmouth has just published the third in what is called The Dartmouth Atlas. He provides overwhelming documentation that in health, it is not so much demand, as supply that is driving the cost of the health care system. In other words, "build it, and they shall come." Build a hospital, and doctors will find a way to use it. The more hospital beds available in a community, the more likely you will die in a hospital instead of at home, in a hospice, or in a nursing home. Yet we know that the public does not prefer a high-tech, prolonged death. At the moment of death, most people would like to be a familiar setting surrounded by family-not hooked up to a half dozen tubes in a hospital ICU.

Capital payments also are used to proliferate fancy new services-rather than asking that expensive services (such as transplant or open heart surgeries) be concentrated at hospitals which do a large volume of operations and which have better outcomes. The data is overwhelming that the more operations a hospital does, the less likely they are to kill you. In other words, practice makes perfect, or at least very good. Yet in California, for example, we have about 130 hospitals doing open heart surgeries. Setting up an open heart program costs, I am told, about \$10 million. Yet some of these heart centers only do 3 or 5 operations a month! They may be good for a local hospital's prestige, but they are almost a prime facie malpractice waiting for a jury.

Medicare and taxpayers, again, should not be paying for this proliferation of local prestige: we are killing people through bad outcomes when we allow every Tom, Dick, and Harry hospital to do sophisticated operations.

My bill is a simple proposal: where we have to many beds and they are going unoccupied, the taxpayer can save 25% in reduced hospital capital payments.

RECOGNIZING THE OUTSTANDING ACHIEVEMENTS OF THE RAGIN CAJUN AMATEUR BOXING CLUB

**HON. CHRISTOPHER JOHN**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. JOHN. Mr. Speaker, I rise today to recognize a very special group of young athletes. These young boxers, along with their coach Beau Williford, comprise Lafayette, Louisiana's Ragin Cajun Amateur Boxing Club.

Over the Memorial Day district work period, I had the privilege of visiting their gym and witnessing first-hand the remarkable program that Mr. Williford leads. Everyday after school, Mr. Williford's gym becomes a training ground for the next generation of boxers. He not only provides these youngsters with a place to train, but he also provides the life instruction and guidance that many of these kids so desperately need. My experience at his gym convinced me of just how vital the need for such programs is in communities throughout the United States. In fact, research has shown that students who participate in after-school programs exhibit higher levels of achievement in reading, math, and other subjects. These students also exhibit improved grades, reading ability, attendance levels, homework completion, and increased graduation and enrollment in post secondary education.

In 1982, Beau Williford opened Beau Williford's Boxing Academy and began the Ragin Cajun Amateur Boxing Club. Mr. Williford's Boxing Academy soon became a place where young people could productively spend their after school time under the wing of an inspirational coach. Indeed, nine gold medals were recently won by young athletes who competed at the 1999 Junior Olympics and Under 19 competitions in Natchitoches, LA, on May 14-16, 1999.

Beau Williford deserves special acknowledgement for his devotion to the physical and personal development of the youngsters he takes in. A former boxer and trainer of six boxing champions, Mr. Williford offers these kids a place where they can relieve stress through exercise while socializing with others their age. Several of the young people he trains were troubled youths without motivation, discipline, or direction. Under Mr. Williford's guidance, their lives have been turned around. Those who were once making failing grades in school are now making straight A's. In addition, the parents of these young athletes claim that not only are their children doing great as boxers, but they are doing much better as children. They are more disciplined and have gained a sense of self-respect.

Mr. Speaker, I would like to individually recognize these outstanding youths who have worked hard to earn the title of "champion." Please join me in extending a warm voice of

recognition to Jared Hidalgo, a sixteen year-old Carencro High School junior who won the 178-pound division gold medal; to Harold Breau, a seventeen year-old Northside High School junior who won the 165-pound division gold medal; to Mark Megna, an eight year-old Woodvale Elementary School student who won the Gold in the 60-pound bantam division; to John Ross Prudhomme, an eleven-year old Westminster Academy student who won the Gold in the 85-pound junior division; to Jacob Carriere, an eleven year-old Edgar Martin Middle School student who won the Gold in the 65-pound junior division; to Clay Johnson, an eleven year-old S.J. Montgomery student who won the Gold in the 95-pound junior division; to Michael Carriere, a fourteen year-old Edgar Martin Middle School student who won the Gold in the 156-pound intermediate division; to Darren Johnson, a fourteen year-old Lawtell Middle School student who won the Gold in the super heavy weight intermediate division; and to Wesley Williford, a fourteen year-old Lafayette Middle School student who won the Gold in the 156-pound senior division.

These youngsters are guided by an outstanding group of coaches who also deserve our recognition. In addition to the guidance of Beau Williford, Coaches Gene Hidalgo, Walter Dugas, Mark Peters, Sean McGraw, Lenny Johnson, Harold Breau, Sr., and Deidre Gogarty work with these kids on a daily basis. Along with team manager Christian Williford, this outstanding group of adults is committed to the direction and success of these young athletes.

The hard work and discipline that Mr. Williford and his team inspire in these young people not only produces athletic growth, but personal growth as well. Studies have shown that sustained positive interactions with adults contribute to the overall development of young people and their achievement in school. At a time in our country when youth violence is on the rise and we are searching for answers, Mr. Williford and the Ragin Cajun Amateur Boxing Club have found their own solution. He and his young boxers were an inspiration to me, and in recognizing them today I hope that his story will inspire others to take an active role in the lives of our youth.

HONORING KENNETH C. BAKER

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. KILDEE. Mr. Speaker, I rise before you today to recognize and honor the accomplishments of a man who has given much to the teaching profession, and even to his many students. On June 30, friends, colleagues, and family will gather to pay tribute to Mr. Kenneth Baker of Flint, Michigan, who is retiring from the Flint Community Schools after 34 years of dedicated service to the community.

As a former school teacher myself, I understand how important it is for the minds of our Nation's children to be influenced by positive, uplifting role models. I am happy that Kenneth Baker lives up to this ideal. A graduate of the University of Toledo, and Eastern Michigan University, Kenneth began his long and rewarding career with Flint Community Schools in 1965. He served as a science teacher at

Bryan Community School until 1969, where he then went on to Carpenter Community School as its director. He served in this same capacity at McKinley Middle School from 1972 to 1990, helping guide the lives of thousands of children.

When the need arose, Kenneth found himself thrust back into the role as teacher, as he taught science and social studies at Anderson Community School from 1990 to 1995, and then his current teaching position, once again at McKinley. No matter which hat he wore, Kenneth always proved himself to be an exceptional educator, able to help his students acquire and develop skills that would help them to become strong, positive members of society.

In efforts to lead by example, Kenneth has also been involved in the community as well. Within the school, he has been a team leader in the team curriculum program, and has also been willing to volunteer as a referee for sporting events such as volleyball and track and field. He has served on the Learning Standard Committee, and has been a coordinator of the Buick City and Flint Olympian Road Race.

Mr. Speaker, there are many adults throughout the entire state of Michigan whose lives have been enriched by an early life interactions with Kenneth Baker. I am proud to have a person such as him within my district. I ask my colleagues in the 106th Congress to join me in wishing him well in his retirement.

#### PERSONAL EXPLANATION

#### HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. NETHERCUTT. Mr. Speaker, on June 10, 1999, I was absent after 6:30 p.m. to attend my son's junior high school graduation ceremony. I ask that the RECORD reflect that if I was present, I would have voted "no" on rollcall votes 192, 193, 200, 201 and 202 and I would have voted "aye" on rollcall votes 194 through 199 and 203.

#### TROOPER CHARLES PULVER RETIRES AFTER 31 YEARS OF SERVICE ON THE COLORADO STATE PATROL

#### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to honor Trooper Charles Pulver who, after 31 years in the Colorado State Patrol, has announced his retirement. In recognition of his service and dedication to the citizens of Colorado, I would like to take a moment to pay tribute to Trooper Pulver.

After graduating from Central High School in Pueblo in 1960, Pulver went on to serve in the United States Air Force from 1960 to 1964. In 1968, Pulver received his first assignment to serve the citizens of Golden, Colorado. He was transferred to Idaho Springs where he served from 1972 until 1980 when he returned home to serve the community of Pueblo.

Throughout his 31 years of service, Chuck has undoubtedly witnessed a great deal, yet one thing has remained the same, Chuck's dedication to the citizens of Colorado, and his high moral standards. In 1974, Trooper Pulver was awarded the Red Cross Life Saving awards for performing CPR on a heart attack victim until further medical help arrived on the scene. Named Officer of the Year several times by the Optimist Club, Chuck was most recently nominated in 1998 for his outstanding dedication to duty. He has been recognized numerous times for his efforts in DUI enforcement, as a drug expert, and safety belt compliance by the Colorado State Patrol.

Today, as Trooper Pulver embarks on a new era in his life, I would like to offer my gratitude for his years of service. It is clear that Pueblo, Colorado has benefited greatly from the hard work and honest endeavors of Mr. Pulver. On behalf of all of Colorado, I would like to say thank you to Trooper Charles Pulver and wish him all the best as he begins his much deserved retirement.

#### CRISIS IN KOSOVO (ITEM NO. 8)—REMARKS BY JOHN R. MACARTHUR, PUBLISHER OF HARPER'S MAGAZINE

#### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. KUCINICH. Mr. Speaker, on May 20, 1999, I joined with Rep. CYNTHIA A. MCKINNEY, Rep. BARBARA LEE, Rep. JOHN CONYERS and Rep. PETER DEFAZIO in hosting the fourth in a series of Congressional Teach-In sessions on the Crisis in Kosovo. If a peaceful resolution to this conflict is to be found in the coming weeks, it is essential that we cultivate a consciousness of peace and actively search for creative solutions. We must construct a foundation for peace through negotiation, mediation, and diplomacy.

Part of the dynamic of peace is a willingness to engage in meaningful dialogue, to listen to one another openly and to share our views in a constructive manner. I hope that these Teach-In sessions will contribute to this process by providing a forum for Members of Congress and the public to explore alternatives to the bombing and options for a peaceful resolution. We will hear from a variety of speakers on different sides of the Kosovo situation. I will be introducing into the CONGRESSIONAL RECORD transcripts of their remarks and essays that shed light on the many dimensions of the crisis.

This presentation is by John R. (Rick) MacArthur, president and publisher of Harper's Magazine. Mr. MacArthur is an award-winning journalist and author. He received the 1993 Mencken award for the best editorial/opinion column. He also initiated the foundation-inspired rescue of Harper's in 1980, and since then the magazine has received numerous awards and the support of advertisers and readers alike. Mr. MacArthur is the author of *Second Front: Censorship and Propaganda in the Gulf War*, a finalist for a 1993 Mencken Award for books. A tireless advocate for international human rights, Mr. MacArthur founded and serves on the board of directors of the Death Penalty Information Center and the MacArthur Justice Center.

Mr. MacArthur describes how government institutions and their willing accomplices in the news media mislead the public during periods of wartime. He cites specific instances from the Gulf War as well as the current War in Yugoslavia. He also discusses how both sides in the War in Yugoslavia engage in propaganda, often involving the misrepresentation and invention of atrocity stories to suit political purposes. Mr. MacArthur makes a compelling case for how war undermines the trust that the American people have in their institutions, with truth and accuracy as the victims. I commend this excellent presentation to my colleagues.

PRESENTATION BY JOHN R. MACARTHUR,

PUBLISHER OF HARPER'S MAGAZINE

The first thing to keep in mind is that all governments lie in wartime, more or less in proportion to what they view as their political needs. Much more rarely do they lie in the pursuit of strategic military objectives or to protect military security, which is their oft-stated claim. Occasionally military commanders get the upper hand and their general obsession with secrecy and control can overcome the will of the politicians and their civilian advisors, but usually the politicians call the tune. They lie, and when they lie in concert with their military subordinates it is for one principle reason, and that is to manipulate journalists and mislead the public. In our country this matters more than in, say, North Vietnam, because we Americans operate on the quaint, old-fashioned notion of informed consent of the governed. The thought in the government is that if too much bad or unpleasant news gets to the people, as it finally did in Vietnam, the people might turn against the war policy of their leaders, which the leaders would prefer not to happen. Thus we cannot talk about war coverage in Kosovo without talking about NATO, US, and Serbian censorship and information management.

NATO and the US are trying to manage the bad news in a variety of ways. Some of their techniques have succeeded in keeping us in the dark, and some have backfired. A case in point comes from Newsday's senior Washington correspondent Pat Sloyan whose upcoming article in the June American Journalism Review details the NATO public relations response to the April 14th bombing of the mixed procession of military and civilian vehicles near Jakovo that killed upwards of 82 Albanian civilians, who, of course, we were supposed to protect. You'll recall the delay in NATO's response, and the playing of an audio tape debriefing of a US air force pilot identified only as "Bear 21." "Bear 21" is heard sincerely explaining how hard he tried to hit the military vehicle, but the implication by NATO and by the PR people was that "Bear 21," with all his good intentions, had simply missed his target and killed civilians. In fact, "Bear 21" did hit the military vehicle, not the tractors. A review of the gun-sight footage revealed later that other NATO pilots may have killed the civilians. I think they probably did, and, as Sloyan writes, senior US military officials who spoke on condition of anonymity say General Clark's staff had purposely singled out the F-16 pilot, "Bear 21," in an attempt to minimize public criticism of the civilian bombing. The hope was that the public would be sympathetic to someone who had taken great care to be accurate. "They [that is, NATO], picked him for propaganda reasons," says a senior US military official. The blame-placing outraged senior military officials, who said it deliberately misrepresented the event, and smeared an excellent pilot.

That's a fairly sophisticated public relations maneuver, but NATO is resorting to

less sophisticated manipulation techniques as well, some of which seem quite pointless to me. In the Gulf War you'll recall reporters were not permitted to interview soldiers, sailors, and airmen without a military press agent present at all times. This was done naturally to discourage the troops from making any offhand or calculated criticisms of US policy, of their living conditions, of their fears of going into battle, in short, anything that might have suggested that their morale wasn't anything but 100% A-OK. Today at the Aviano airbase in Italy, not only do you still need a military escort present, but you can't use the name or hometown of your interview subject. The bizarre justification for this is allegedly to protect the families of the servicemen, or the servicewomen, from Yugoslav hate mail. I'm wondering if this is a military security matter or some weird form of political correctness in which the receivers of the bombs aren't permitted to express their hatred for those who deliver the bombs. But actually I think it's more likely just propaganda, because we're inevitably going to kill Serb and Albanian civilians and we don't want to associate actual names and faces with the killing. That would be bad for morale, both within the air force and outside the air force. It's pure and simple PR.

This brings up the larger question of war coverage and propaganda. NATO and Serbia are currently engaged in a propaganda war that hinges to some extent on accurate or inaccurate war coverage. Paradoxically, the side that is cast as the villain in the war, the enemy of freedom and tolerance, is the side that is permitting and encouraging the best war coverage. The Serbs think bad news helps their case because nobody on our side wants to see the blood of civilians on our hands. NATO realizes this and is trying to mitigate the propaganda value of dead civilians with allegations of atrocities committed by the Serbs against innocent Albanians. NATO and its supporters in the media are hyping Holocaust analogies in particular. Fred Hiatt in the Washington Post threw all caution and sense of proportion to the winds last week, making an explicit comparison between the expulsion and flight of the Albanians and the Auschwitz extermination camp. NATO talks about the rape camps, mass graves, and summary executions. They cite as evidence spy satellite photographs, but won't show us these photographs.

Meanwhile, thanks to the Yugoslav political imperative, correspondents like the outstanding Paul Watson of the Los Angeles Times report things like: "Something strange is going on in [this Kosovar Albanian village] in what was once a hard-line guerrilla stronghold, where NATO accuses the Serbs of committing genocide." He goes on to report that by their own accounts the Albanian men are not living in a concentration camp, or being forced to labor for the police or army, or serving as human shields for Serbs. I think you've probably seen other stories saying that these Serbs for whatever reason are encouraging Albanians to move back into their homes. This of course in no way excuses the expulsion of the hundreds of thousands who are in the refugee camps, but there is a battle of propaganda going on now of epic proportion.

I would, I suppose immodestly, ask you to ask yourselves and your elected representatives and maybe your local newspaper editors why it is that our memories are so short on the question of successful propaganda. Just seven years ago, John Martin of CBS News and I revealed elements of an atrocity that allegedly occurred during the Gulf War, which had a great deal to do with the Senate vote in favor of going to war, the Senate War Resolution. I am referring to the baby incu-

bator murders of 1990 and 1991 allegedly committed by Iraqi soldiers in Kuwaiti hospitals. I hope you remember that it was entirely false, entirely fraudulent. Not one baby was killed by Iraqi soldiers. It's possible that babies died from neglect, because most of the foreign medical staff had fled the Kuwaiti hospitals, but there was no looting of incubators. At one point President Bush, sounding very much like President Clinton, declared that babies were being "scattered like firewood" across the hospital floors. More famously, in this case, the daughter of the Kuwaiti ambassador, Naira Al Sabah, testified as an anonymous refugee before House Human Rights Caucus, saying that she herself had witnessed 15 babies being removed from incubators. Everybody believed it. By the end of it, Amnesty International, which got suckered into the story as well, had declared that 312 babies had been killed this way. Another hearing was held in front of the UN Security Council, where a surgeon—he called himself a surgeon—said that he had personally supervised the burial of 40 babies outside the hospital where they had been killed. After the war, he recanted. He turned out to be a dentist, not a surgeon, and so on and so forth. This was not just in the august chambers of the House of Representatives, but before the United Nations Security Council. So I am astonished that there is so little skepticism about the atrocity stories.

The exaggeration of atrocities, or the invention of atrocity stories, has the paradoxical effect of minimizing the real horror of a war. In other words, because there's a Holocaust going on, well, if a few hundred civilians have to die, it's not such a big deal. I think that's one of the propaganda motives of NATO right now, to hype the atrocities and push the Holocaust analogies as much as possible in order to minimize the horror over the deaths of hundreds of civilians, Albanians and Serbs, caused by our side.

#### HONORING MELVYN S. BRANNON

#### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. KILDEE. Mr. Speaker, I rise before you today to recognize and honor the achievements of a man who has given much to the community on behalf of civil rights. On June 27, local officials and civic leaders will join family and friends to pay tribute to Mr. Melvyn Brannon of Burton, MI, who is retiring as president of the Urban League of Flint, after more than 30 years of dedicated service.

Melvyn Brannon was born in Memphis, TN, and went to studies at the University of Arkansas at Pine Bluff. He then moved to Michigan, where he pursued postgraduate studies at Eastern Michigan University, the University of Michigan-Flint, and Harvard Business School. During this time, he also participated in the National Urban League Management Training and Development Program. This served as just the beginning of a long standing relationship with the Urban League.

Throughout the years, Mel worked at Flint Osteopathic Hospital as a radiologic technologist, and then moved on to lengthy and rewarding tenure with Flint Community Schools, which included positions such as teacher, special counselor, and job development and placement specialist. In September of 1968, Mel was appointed deputy executive director of the Urban League of Flint, and held

the position until November of 1970, where he became president, a position he has held until this day.

In addition to his extensive work with the Urban League both locally and nationally, Mel has benefited many members of the community with his vision and insight. In the past, he has served on such boards as Genesee County Commission on Substance Abuse Services, the Coalition for Positive Youth Development, the Urban Coalition of Greater Flint, and the Hurley Hospital Board of Managers, to name a few. Currently he has been involved with the boards of Disability Network, Priority 90's, the Hurley Medical Center Human Resources Committee, and he serves as Chairman of the Bishop International Airport Authority. Mel has also been found working with groups such as the NAACP, the Rotary Club, and the Genesee County Sickle Cell Anemia Foundation, among many others.

Mr. Speaker, the Flint area, as well as the entire state of Michigan has prospered due to the efforts and leadership of Melvyn Brannon. I ask my colleagues in the 106th Congress to please join me in congratulating him on his retirement.

#### FLAG DAY 1999

#### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. PAUL. Mr. Speaker, I wish to pay tribute to a great symbol of our nation, the flag of the United States of America on this Flag Day 1999. I wonder how frequently we take for granted this symbol, how often we fail to consider what it is and indeed what it represents.

The flag contains 13 stripes and 50 stars. Those 13 stripes represent the first thirteen states, each of which emanating from colonies of British America. These 13 colonies came together because they were opposed to continued oppression by the British executive and the British parliament. After numerous and significant entreaties seeking reconciliation, the British American came to understand that political independence and local self-government was the only way to insure against the most dangerous of tyrannies.

Was this eternal truth forgotten immediately upon the founding of our nation? Hardly. From the Articles of Confederation through to the original U.S. Constitution a clear understanding of the necessity of the separation of powers was maintained. And the genius of that division of powers lay only so partially in the three federal branches, each reliant upon some different direct authority but all resting government finally on the consent of the governed. Indeed, it has rightly been said that "the genius of the constitution is best summed up in that clause which reserves to the states or to the people those powers which are not specifically delegated to the federal government."

So those states came together to form a compact, indeed to form a nation and, they gave specific but limited powers to the federal government. From those original thirteen stars and stripes, representing the individual states, came one. E pluribus unum. And this is what the flag and those stripes represent.

Today the flag contains 50 stars to represent the 50 current states. From 13 came 50

and in this way "E pluribus pluribus" is also true. From many came more.

Yes, Mr. Speaker, our flag is a symbol of our nation. It is a symbol but certainly not the sum. America means so much more to us than symbol devoid of substance. It means those rights, inalienable and indivisible, which are life, liberty and property. Property not just as an object of ownership but as an idea. Private property is indeed the bedrock of all privacy. And private enjoyment of property is not simply exemplified by the right to hold, but to use and dispose of as the owner sees fit. This is at the very essence of property, and it is in fact the meaning of the pursuit of happiness.

And those stars and stripes represent an idea about how it is that we should hope to actually realize the protection of all these rights that we as Americans hold so dear. Namely, we the people vest in those very states that formed this union, the power to legislate for the benefit of the residents thereof.

This is the idea of federalism and of local self-government. This idea is sacrosanct because it is the necessary precursor to all of those things which we hold dear, most specifically those rights I have enunciated above. Our nation is based on federalism, and state governments, indeed the nation is created by the states which originally ratified our constitution.

Now confusion has come upon us. We are far removed from the days of the constitution's ratification and hence it seems we have lost that institutional memory that points to the eternal truths that document affirms.

Today there are calls to pass federal laws and even constitutional amendments which would take from the states their powers and grant them to the federal government. Some of these are even done in the name of protecting the nation, its symbol, or our liberties. How very sad that must make the founding fathers looking down on our institutions. Those founders held that this centralization of power was and ought always remain the very definition of "unAmerican" and they understood that any short term victory an action of such concentration might bring would be paid for with the ultimate sacrifice of our very liberties.

To do what is right we must understand and honor the symbol and the sum of our nation. We must contemplate the flag and the constitution, both of which point us to the key basis of liberty that can be found only in local self-government. Our flag and our constitution both honor and symbolize federalism and when we undermine federalism we dishonor our flag, our constitution and our heritage.

The men who founded our nation risked the ultimate price for freedom. They pledged "their lives, their fortunes and their sacred honor" to the founding of a republic based on local self-government. We should honor them, our republic and its most direct symbol, our U.S. flag by taking a stand against any rule, law or constitutional amendment which would expand the role of our federal government.

MR. DICK DIXON OF SALIDA, COLORADO, HAS TOUCHED THE LIVES OF SO MANY HIGH SCHOOL STUDENTS

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. McINNIS. Mr. Speaker, I would like to take a moment to honor and recognize Mr. Dick Dixon of Salida, Colorado. Mr. Dixon has touched many lives as a teacher of Western History and Journalism at Salida High School, and I would like to recognize his hard work, dedication, and achievements.

Mr. Dixon is a man of great experience who has received state and national awards, dined with the Governor, and taken the Tenderfoot Times student newspaper of Salida High School to greatness. After his arrival, the student newspaper began winning numerous awards and became one of the most recognized high school newspapers in Colorado.

Mr. Dixon guided the newspaper team to three national Gold Crown awards, a Peacemaker honor and a rank as one of the top high school newspapers in the nation. Dixon also helped his students win many Colorado High School Press Association sweepstakes awards which gave them the opportunity to have lunch at the Governor's Mansion. Though students changed each year, Dixon remained consistent in his drive and dedication, and continued to inspire greatness in his staff. His strength and presence at Salida High School will truly be missed.

Mr. Dixon not only taught, but for 12 years he also worked for the Pueblo Chieftain as the Salida correspondent. His lessons came to life as students heard his words of wisdom on covering the news, and then were able to read his bylines and see his photographs in the Chieftain. Mr. Dixon led by example and his work and lessons will continue to inspire.

Mr. Speaker, I would like to say thank you to Mr. Dick Dixon for touching the lives of

many and for inspiring the youth of Salida. Individuals such as Mr. Dixon who dedicate so much time and energy into shaping the minds of students and ensuring a bright future for all are to be appreciated. I would like to congratulate Mr. Dixon on a job well done and wish him the best of luck in all his future endeavors.

COMMEMORATING THE SONORA WOOL AND MOHAIR SHOW

### HON. HENRY BONILLA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 1999*

Mr. BONILLA. Mr. Speaker, I rise today to salute the 62nd Annual Sonora Wool and Mohair Show and the 39th Annual National 4-H Wool Judging Contest. Both of these events are scheduled for June 15–17. The Sonora 4-H program serves as a model for the youngsters of rural America. Year after year the program has distinguished itself with entries from the nation's top youth. It is my honor to report this event today and I wish continued success to this outstanding organization.

The Sonora Wool and Mohair Show has been the foremost event of its type for more than half a century. The popularity of the youth's wool judging contest began when the program was added to the event in 1947. It remains popular with young people today. It is annually attended by many successful youth teams. The show is sponsored by the Sonora Lions Club and Sonora Chamber of Commerce, in cooperation with the Sonora Wool and Mohair Company and the Texas Agriculture Extension Service.

A variety of activities fill the three-day event. These include an All-Texas Show for 4-H Clubs and FFA Chapters, an open show for all U.S. producers and the National 4-H Wool Judging Contest.

Mr. Speaker, it is my hope that my colleagues from all areas of the United States join me in recognizing the Sonora 4-H program. Programs such as these give our young people many great skills. Wool judging requires hours of study and evaluation, equipping students with great research skills. More importantly, the competition gives participants a sense of accomplishment through a job well done. For the next few days all eyes will focus on Sonora.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 15, 1999 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

## JUNE 16

9:30 a.m.

## Energy and Natural Resources

Business meeting to consider pending calendar business.

SD-366

## Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings on issues relating to prostate cancer.

SD-192

10 a.m.

## Finance

Business meeting to markup H.R. 1833, to authorize appropriations for fiscal years 2000 and 2001 for the United States Customs Service for drug interdiction and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission, the proposed Generalized System of Preferences Extension Act, the proposed Trade Adjustment Assistance Reauthorization Act, the proposed United States Caribbean Basin Trade Enhancement Act, and the proposed Steel Trade Enforcement Act.

SD-215

## Joint Economic Committee

To continue hearings on issues relating to the High-Technology National Summit.

SH-216

2:30 p.m.

## Indian Affairs

Business meeting to markup S. 28, to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park; S. 400, to provide technical corrections to the Native American Housing Assistance and Self-Determination Act of 1996, to improve the delivery of housing assistance to Indian tribes in a manner that recognizes the right of tribal self-governance; S. 401, to provide for business development and trade promotion for native Americans, and for other purposes; S.

614, to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands; and S. 944, to amend Public Law 105-188 to provide for the mineral leasing of certain Indian lands in Oklahoma.

SR-485

## Foreign Relations

To hold hearings on the nomination of David B. Dunn, of California, to be Ambassador to the Republic of Zambia; the nomination of Mark Wylea Erwin, of North Carolina, to be Ambassador to the Republic of Mauritius, and Ambassador to the Federal Islamic Republic of the Comoros and as Ambassador to the Republic of Seychelles; the nomination of Christopher E. Goldthwait, of Florida, to be Ambassador to the Republic of Chad; and the nomination of Joyce E. Leader, of the District of Columbia, to be Ambassador to the Republic of Guinea.

SD-562

3 p.m.

## Judiciary

To hold hearings on pending nominations.

SD-226

## JUNE 17

9:30 a.m.

## Environment and Public Works

To hold hearings on S. 533, to amend the Solid Waste Disposal Act to authorize local governments and Governors to restrict receipt of out-of-State municipal solid waste; and S. 872, to impose certain limits on the receipt of out-of-State municipal solid waste, to authorize State and local controls over the flow of municipal solid waste.

SD-406

## Commerce, Science, and Transportation

To hold hearings on the nomination of Johnnie E. Frazier, of Maryland, to be Inspector General, Department of Commerce; the nomination of Cheryl Shavers, of California, to be Under Secretary of Commerce for Technology; the nomination of Kelly H. Carnes, of the District of Columbia, to be Assistant Secretary of Commerce for Technology Policy; the nomination of Albert S. Jacquez, of California, to be Administrator of the Saint Lawrence Seaway Development Corporation; the nomination of Mary Sheila Gall, of Virginia, to be a Commissioner of the Consumer Product Safety Commission; and the nomination of Ann Brown, of Florida, to be a Commissioner of the Consumer Product Safety Commission.

SR-253

10 a.m.

## Health, Education, Labor, and Pensions

To hold joint hearings with the House Committee on Education and Work Force on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, focusing on research and evaluation.

SD-106

## Finance

To hold hearings on the nomination of Lawrence H. Summers, of Maryland, to be Secretary of the Treasury.

SH-216

## Judiciary

Business meeting to markup S. 467, to restate and improve section 7A of the Clayton Act; S. 692, to prohibit Internet gambling; and S. 768, to establish court-martial jurisdiction over civilians serving with the Armed Forces

during contingency operations, and to establish Federal jurisdiction over crimes committed outside the United States by former members of the Armed Forces and civilians accompanying the Armed Forces outside the United States.

SD-226

## Foreign Relations

To hold hearings on the nomination of Richard Holbrooke, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

Room to be announced

## Joint Economic Committee

To hold hearings on monetary policy and the economic outlook.

311 Cannon Building

2 p.m.

## Judiciary

To resume closed oversight hearings on certain activities of the Department of Justice.

S-407 Capitol

## Intelligence

To hold closed hearings on pending intelligence matters.

SH-219

## Finance

To hold hearings on Medicaid and school-based services.

SD-215

## Aging

To hold hearings on issues relating to income security.

SD-106

## JUNE 21

9 a.m.

United States Senate Caucus on International Narcotics Control

To hold hearings to examine the black market peso exchange, focusing on how U.S. companies are used to launder money.

SH-216

## JUNE 23

9:30 a.m.

## Indian Affairs

To hold oversight hearings on National Gambling Impact Study Commission report.

SR-485

## JUNE 24

9:30 a.m.

## Energy and Natural Resources

To hold oversight hearings to examine the implications of the proposed acquisition of the Atlantic Richfield Company by BP Amoco, PLC.

SD-366

## JUNE 29

2:30 p.m.

## Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold hearings on fire preparedness by the Bureau of Land Management and the Forest Service on Federal lands.

SD-366

## JUNE 30

9:30 a.m.

## Indian Affairs

To hold hearings on S.438, to provide for the settlement of the water rights claims of the Chippewa Cree Tribe of

the Rocky Boy's Reservation; to be followed by a business meeting to consider pending calendar business. Room to be announced	JULY 21 9:30 a.m. Indian Affairs To hold hearings on S. 985, to amend the Indian Gaming Regulatory Act.	such program to other tribes and tribal organizations; followed by a business meeting to consider pending calendar business.
2 p.m. Energy and Natural Resources Forests and Public Land Management Subcommittee To hold oversight hearings on the United States Forest Service Economic Action programs. SD-366	JULY 28 9:30 a.m. Indian Affairs To hold hearings on S. 979, to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes. SR-485	SR-485
JULY 1 9:30 a.m. Indian Affairs To hold hearings to establish the American Indian Educational Foundation. SR-485	AUGUST 4 9:30 a.m. Indian Affairs To hold hearings on S. 299, to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health; and S. 406, to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payors, and to expand the eligibility under	SEPTEMBER 28 9:30 a.m. Veterans Affairs To hold joint hearings with the House Committee on Veterans Affairs to review the legislative recommendations of the American Legion. 345 Cannon Building
JULY 14 9:30 a.m. Indian Affairs Energy and Natural Resources To hold joint oversight hearings on the General Accounting Office report on Interior Department's trust funds reform. Room to be announced		POSTPONEMENTS JUNE 17 9:30 a.m. Commerce, Science, and Transportation To hold hearings on mergers and consolidations in the communications industry. SR-253 Energy and Natural Resources To hold hearings on S. 1049, to improve the administration of oil and gas leases on Federal land. SD-366